



LODI CITY COUNCIL

Carnegie Forum
305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: January 18, 2006

Time: Closed Session 5:30 p.m.
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

Susan J. Blackston

City Clerk

Telephone: (209) 333-6702

NOTE: All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.

C-1 Call to Order / Roll Call

C-2 Announcement of Closed Session

- a) Actual litigation: Government Code §54956.9(a); one case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al.; United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM
- b) Actual litigation: Government Code §54956.9(a); one case; Hartford Accident and Indemnity Company, et al. v. City of Lodi, et al., Superior Court, County of San Francisco, Case No. 323658
- c) Actual litigation: Government Code §54956.9(a); one case; City of Lodi v. Michael C. Donovan, an individual; Envision Law Group, LLP, et al., San Francisco Superior Court, Case No. CGC-05-441976
- d) Actual Litigation: Government Code §54956.9(a); one case; Citizens for Open Government v. City of Lodi et al., San Joaquin County Superior Court, Case No. CV026002
- e) Actual Litigation: Government Code §54956.9(a); one case; Lodi First, a California non-profit unincorporated association v. City of Lodi Community, by and through the City Council et al., San Joaquin County Superior Court, Case No. CV025999

C-3 Adjourn to Closed Session

NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.

C-4 Return to Open Session / Disclosure of Action

A. Call to Order / Roll call

B. Invocation – Pastor Mark Price, St. Paul's Lutheran Church

C. Pledge of Allegiance

D. Presentations

- D-1 Awards – None
- D-2 Proclamations – None
- D-3 Presentations

- a) Presentation of Certificate of Appreciation to Maxine Cadwallader, Revenue Manager, who is retiring after nearly 50 years of service to the City of Lodi

E. Consent Calendar (Reading; comments by the public; Council action)

E-1 Receive Register of Claims in the amount of \$6,314,616.60 (FIN)

E-2 Approve minutes (CLK)

a) November 16, 2005 (Regular Meeting)

b) December 27, 2005 (Shirtsleeve Session)

c) January 3, 2006 (Shirtsleeve Session)

Pulled

E-3 Receive quarterly report of purchases between \$5,000 and \$20,000 (FIN)

E-4 Report of the sale of scrap metal (EUD)

E-5 Report of the sale of surplus equipment (PW)

E-6 Accept improvements under contract for Lighted Crosswalk/Flashing Beacon Project on Elm Street at Loma Drive and at Mills Avenue and on Mills Avenue at Various Locations (PW)

Res. E-7 Adopt resolution accepting improvements at Lakeshore Properties, Tract No. 3515 (PW)

Res. E-8 Adopt resolution approving final map and improvement agreement for Winchester Woods, Tract No. 3564 (PW)

Res. E-9 Adopt resolution authorizing the City Manager to amend the 2005-06 Transportation Development Act claim increasing the Local Transportation Fund Article 8 capital funding to \$695,878 for a total claim of \$2,937,121 (PW)

Res. E-10 Adopt resolution authorizing the City Manager to negotiate and purchase three Type 2 Medium Bus (Dial-A-Ride) transit vehicles off of the State contract, authorizing conversion of the three vehicles to compressed natural gas, and appropriating funds (\$295,000) (PW)

E-11 Approve Parks and Recreation staff recommendations on projects to be funded under the 2000 Park Bond Act Per Capita Grant program and allocate \$524,999 for the projects (PR)

E-12 Authorize City Manager to submit grant applications(s) for PCE/TCE clean up (PW)

Res. E-13 Adopt resolution amending the existing Lodi Energy Efficient Home Improvement Rebate Program, removing windows as an eligible rebate element and adding wall insulation as an eligible rebate element (EUD)

Res. E-14 Adopt resolution authorizing the City Manager to allocate a Public Benefits Program rebate to Myers & Eby Property Management for a demand-side management project (\$9,004.50) (EUD)

F. Comments by the public on non-agenda items

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted. Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

G. Comments by the City Council Members on non-agenda items

H. Comments by the City Manager on non-agenda items

I. Public Hearings – None

J. Communications

J-1 Claims filed against the City of Lodi – None

J-2 Appointments

a) Post for expiring terms on the Lodi Improvement Committee (CLK)

J-3 Miscellaneous

a) Monthly Protocol Account Report (CLK)

K. Regular Calendar

- Res. K-1 Adopt resolution approving the Market Cost Adjustment (MCA) level for customers receiving Medical Rider discounts, review and provide preliminary and non-binding policy direction regarding electric rate design/structure for future adjustments to base rates by transferring rates from MCA charges to Base Rate charges, and set public hearing for February 1, 2006, to review permanent rate structure (EUD)
- Res. K-2 Receive report on risk management policies and adopt resolution approving policy entitled, "*City of Lodi Energy Risk Management Policies*" (EUD)
- Res. K-3 Adopt resolution authorizing the City Manager and Electric Utility Director to procure energy requirements through fiscal year 2007 at an amount not to exceed \$39.8 million (EUD)
- Res. K-4 Consider resolution authorizing the City Manager to enter into: 1) a Blue Shield/Reynolds Ranch Annexation Application Reimbursement Agreement and 2) a contract with Willdan to provide engineering/planning support services for a General Plan Amendment, Pre-Zoning, Master Plan/Development Plan, Annexation, and Environmental Impact Report for an approximate 220-acre area up to a half mile south of Harney Lane between State Route 99 and the Union Pacific Railroad for a 20-acre Blue Shield office, an approximate 41-acre regional/community shopping center, and approximately 142 acres of residential uses at a variety of densities and types with a potential 10-acre school site, 29 acres of open space, and a 1-acre fire station (CD)
- Pulled Ord. (Introduce) K-5 Introduce ordinance amending Lodi Municipal Code Title 12 – Streets, Sidewalks, and Public Places, by adding Chapter 12.03, "Sidewalks" to place liability on the adjoining property owner as permitted under state law (CA)
- Ord. (Introduce) K-6 Introduce ordinance amending Lodi Municipal Code Title 12 – Streets, Sidewalks, and Public Places, by adding Article VI, "Waterfowl and Migratory Birds" to prohibit the feeding of any waterfowl or migratory birds in any public park or on any public lake (PR/CA)
- Pulled Res. K-7 Adopt resolution establishing and adjusting rental fees for Parks and Recreation facilities (PR)
- Pulled Res. K-8 Adopt resolution establishing and adjusting rental fees for Hutchins Street Square (COM)
- Pulled Res. K-9 Adopt resolution approving amendment to San Joaquin Council of Governments Joint Powers Agreement to add two additional voting members to the Board, one each from the San Joaquin County Board of Supervisors and the City of Stockton (PW)
- K-10 Approve expenses incurred by outside counsel/consultants relative to the Environmental Abatement Program litigation and various other cases being handled by outside counsel (\$94,880.75) and approve Special Allocation covering general litigation matter expenses (\$2,324.93) (CA)

L. Ordinances – None

M. Adjournment

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

Susan J. Blackston
City Clerk